

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In Re: LOCKHART CHEMICAL COMPANY,

Bankruptcy No.: 22-22005-CMB

Debtor,

Chapter 7

**NATALIE LUTZ CARDIELLO, CHAPTER
7 TRUSTEE FOR LOCKHART CHEMICAL
COMPANY**

Related to Doc. No. 38

Movant,

v.

**CHUBB GROUP OF INSURANCE
COMPANIES,**

Respondent.

**STIPULATION AND ORDER REGARDING MOTION TO ASSUME EXECUTORY
CONTRACT AND TO ENJOIN TERMINATION OF INSURANCE POLICY**

AND NOW, come the parties, by and through their undersigned counsel, and submit the within **STIPULATION AND ORDER REGARDING MOTION TO ASSUME EXECUTORY CONTRACT AND TO ENJOIN TERMINATION OF INSURANCE POLICY (the “Motion”)**, and in support thereof, states as follows:

A. On October 27, 2022, the Movant filed an Expedited Motion to Assume Executory Contract and to Enjoin Termination of Insurance Policy.

B. On October 28, 2022, ACE Property & Casualty Insurance Company and its U.S.-based affiliates and successors (including Illinois Union Insurance Company, collectively, the “Chubb Companies”) the Respondent filed an Objection to the Movant’s Motion.

C. The parties have resolved the pending Motion and request Court approval

of this Stipulation.

The parties hereby stipulate and agree as follows:

1. Policy Number HO847249A shall be extended to 12:01 a.m. Eastern Standard Time on December 30, 2022. Payment of the premium is in the amount of \$867.00.
2. Policy Number G71745594 shall be extended to 12:01 a.m. Eastern Standard Time on December 30, 2022., Payment of the premium is in the amount of \$5,383.00.
3. Policy Number G71745600 (together with Policy Number HO847249A and Policy Number G71745594, the "Expiring Policies") shall be extended to 12:01 a.m. Eastern Standard Time on December 30, 2022. Payment of the premium is in the amount of \$10,212.00.
4. Payment by the Trustee for the amounts set forth in paragraphs 1, 2, and 3 hereof shall be remitted to the Chubb Companies by November 4, 2022.
5. By November 30, 2022, the Movant will pay the premium due for the prior 30-day extensions of the Expiring Policies, to the extent said payments have not already been made. The payments required are as follows:
 - a. Payment in the amount of \$389.00 for Policy Number HO847249A;
 - b. Payment in the amount of \$2,690.00 for Policy Number G71745594;
 - c. Payment in the amount of \$5,601.00 for Policy Number G71745600.
6. In addition to the foregoing, the Trustee agrees to pay any and all other amounts that are or may become due to the Chubb Companies under the Expiring Policies and/or any other policies issued by the Chubb Companies to the Debtor and

any agreements related to any of the foregoing, including any premiums, audit premiums, deductibles, expenses, assessments, surcharges, service fees, broker fees and other amounts, in accordance with the terms of the applicable policy or agreement.

7. Unless otherwise agreed to by the Movant and the Chubb Companies, in the Chubb Companies' sole discretion, the Expiring Policies will expire on the termination date without the need for any other or further notice to be provided to the Trustee or the Court.

8. The Trustee is hereby authorized to make all payments to the Chubb Companies as set forth in this Stipulation.

9. The Movant's expedited Motion is hereby withdrawn.

By the Court:

Date: _____

Carlota M. Böhm
United States Bankruptcy Judge

Consented to by:

/s/Catherine B. Heitzenrater
Catherine B. Heitzenrater
Counsel for the Chubb Companies

/s/ David L. Fuchs
David L. Fuchs
Counsel for Movant